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Senate

(Legislative day of Monday, January 30, 1995)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rabbi Joshua O. Haberman, of the Washington Hebrew Congregation.

PRAYER

The guest Chaplain, Rabbi Joshua O. Haberman, offered the following prayer:

Dear God, we pause in this assembly of lawmakers to acknowledge Thee as the fountainhead of all law. Thine are the laws that govern physical reality; even so, Thou hast ordained the principles by which human beings must interact in order to prosper and live securely with one another.

Enlighten our minds so that our manmade laws conform to the God-given designs for humanity. Give us the sensitivity to detect and remove injustice and the good sense to temper legislative zeal with humility to listen to colleagues of either party, to those who agree as well as those who disagree with us. Let mercy and kindness neither blind us nor altogether forsake us as we counsel and act together for the good of our country. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, this morning, the time for the two leaders has been reserved and there will now be a period for the transaction of morning business until the hour of 10 a.m., with Senators permitted to speak for up to 5 minutes each, with Senator HATFIELD

to speak for up to 10 minutes and Senator BIDEN for up to 30 minutes.

At the hour of 10 a.m., the Senate will resume consideration of House Joint Resolution 1, the constitutional balanced budget amendment.

I yield the floor, Mr. President.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 10 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

Mr. HATFIELD addressed the Chair.

The PRESIDENT pro tempore. The distinguished senior Senator from Oregon.

Mr. HATFIELD. Mr. President, I thank the Chair.

(Mr. ASHCROFT assumed the chair.)

BALANCED BUDGET CONSTITUTIONAL AMENDMENT

Mr. HATFIELD. Mr. President, the American people elected the Republican Congress with the expectation that we show leadership and a willingness to make difficult decisions. In my view, the public shares the point of view that Government has grown too expensive. It has become bloated and ponderous. I believe that the programs of the New Deal and the Great Society put safety nets in place for those who are in greatest need, but those nets now strangle the Federal Government by tying up precious funding in a knot of regulations and poor management.

As I explain my thoughts on the balanced budget amendment, I want to make it very clear that I believe the deficit must be reduced and that a balanced budget is worth achieving. It is possible that I will be the lone Republican to vote against the balanced

budget amendment, but I say now to my colleagues that I share my party's goals, but happen to disagree on the means.

The debate on the balanced budget amendment is not about reducing the budget deficit, it is about amending the Constitution of the United States with a procedural gimmick. This amendment that is before Members now puts new Senate and House rules regarding voting procedures into the Constitution. It does not balance the budget and gives no indication of how this might be done. Furthermore, it will not force Congress to budget responsibly. If indeed this is an amendment requiring a balanced budget, then how can we allow Congress to essentially suspend the Constitution with a three-fifths vote? This was a dangerous idea last year, and it is a dangerous idea this year as well. What other constitutional requirements would we like to waive with a three-fifths vote? Freedom of religion? Free speech? What other civil liberties shall we waive? A balanced budget amendment would allow the Congress to ignore the requirement for a balanced budget and to ignore the Constitution. This idea of Congress suspending a constitutional requirement cuts against the separation of powers principle so crucial to the foundation of the Constitution.

Given the make-up of the 104th Congress, passage of the balanced budget amendment may seem inevitable to some. Many people attribute this increased likelihood to the elections which occurred in November of last year. The election has been interpreted by some as proving that the American people are demanding that Congress balance our Federal budget. Or it may be interpreted by some who say that the Congress now has the political will to make the hard choices to make Federal revenues match Federal outlays. This is an important point, because

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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